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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: R. Varadaraj et al.

Filed: March 28, 2001

Serial No.: 09/819,332

Title: "Stability Enhanced Water-In-Oil
Emulsion and Method of Using
Same"

November 7, 2003

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: ~~R.C. Tang~~

§ Examiner: Not assigned
§
§ Group Art Unit: 1714
§
§ Attorney Docket No.: PM 98.079
§
§ Confirmation No.: 4239
§

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NOV 07 2003

PETITIONS OFFICE

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181**

OR IN THE ALTERNATIVE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

REQUEST

1. Applicants submit this Petition under 37 CFR 1.181 and request that the abandonment of the above-referenced non-provisional patent application be withdrawn.

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REMARKS

OFFICE OF PETITIONS

2. Applicants received a Notice of Abandonment Under 37 CFR 1.53(f) or (g), mailed November 3, 2003 for the above-referenced non-provisional patent application. The Notice of Abandonment states that the application was abandoned for failure to timely or properly reply (No reply Received) to a Notice to File Missing Parts, mailed June 15, 2001.

Adjustment date: 01/07/2004 AKELLEY
12/10/2003 ABANDONMENT 051328
01 FC:1453 1330.00 CR 09819332

3. Applicants filed the above-referenced non-provisional patent application by Express Mail on March 28, 2001. Applicants received a Notice to File Missing Parts, mailed June 15, 2001, stating that the oath or declaration was missing and setting a two-month response time to submit the missing oath or declaration.
4. On July 18, 2001, Applicant mailed a Response to Notice to File Missing Parts of Application Filing Date Granted, including a declaration and power of attorney signed by all named inventors, a copy of the Notice to File Missing Parts, and a self addressed return receipt postcard.
5. On July 31, 2001, Applicants received the return receipt postcard which is stamped July 23, 2001 by the U.S. Patent & Trademark Office.

ATTACHMENTS

6. Attached hereto are copies of the following documents:
 - I. Notice to File Missing Parts, mailed June 15, 2001
 - II. Response to Notice to File Missing Parts of Application Filing Date Granted, mailed July 15, 2001
 - III. Self addressed return receipt postcard, stamped by USPTO July 23, 2001
 - IV. Notice of Abandonment Under 37 CFR 1.53(f) or (g), mailed November 3, 2003
7. The Commissioner is hereby authorized to charge the Applicants' Deposit Account No. 05-1328 for the \$130.00 fee under 37 CFR 1.17(h). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 05-1328.

Applicants therefore respectfully request that the abandonment of this application be withdrawn and the prosecution of this application be reinstated. In the alternative, Applicants request that the application be revived under 37 CFR 1.137. The basis for such revival appears on the Petition for Revival of an Application Abandoned Unintentionally Under 37 CFR 1.137(b) included herein.

If the Petitions Branch wishes to discuss this application with counsel, please contact the undersigned.

Respectfully submitted,



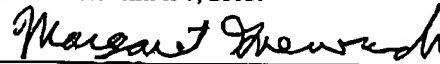
Douglas J. Collins
Attorney for Applicants
Registration No. 43,561

ExxonMobil Upstream Research Company
P.O. Box 2189
Houston, Texas 77252-2189

Telephone: (713) 431-4811
Facsimile: (713) 431-4664

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions of the United States Patent and Trademark Office at (703) 308-6916 on November 7, 2003.



Margaret Gnewuch

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OFFICE OF PETITIONS

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
PM 98.079

In Re Application Of: **Ramesh Varadaraj et al.**

Serial No.
09/819,332

Filing Date
March 28, 2001

Examiner
Unknown

Group Art Unit
1714

Invention:

STABILITY ENHANCED WATER-IN-OIL EMULSION AND METHOD OF USING SAME

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITIONS OFFICE

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☐ is enclosed. ☒ was filed on July 18, 2001

The proposed reply is in the form of: Response to Notice to File Missing Parts of Application

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

12/10/2003 AWONDAF1 00000033 051328 09819332

01 FC*1453 1330.00 DA

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)****Docket No.
PM 98.079**In Re Application Of: **Ramesh Varadaraj et al.****Serial No.
09/819,332****Filing Date
March 28, 2001****Examiner
Unknown****Group Art Unit
1714**

Invention:

STABILITY ENHANCED WATER-IN-OIL EMULSION AND METHOD OF USING SAME**Calculation and Payment of Fees**

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,330.00
7. ☐ Fee for amendment in the amount of: _____
8. ☐ Fee for extension of time to respond to Office Action in the amount of: _____
9. ☐ Issue fee in the amount of: _____
10. ☐ Continuing application filing fee in the amount of: _____
11. ☐ Terminal disclaimer fee in the amount of: _____
12. ☐ _____
- Total fees enclosed: \$1,330.00

The fee of **\$1,330** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **05-1328**

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entry)**Docket No.
PM 98.079

In Re Application Of: Ramesh Varadaraj et al.

NOV 07 2003

Serial No.
09/819,332Filing Date
March 28, 2001Examiner
UnknownGroup Art Unit
1714

Invention:

STABILITY ENHANCED WATER-IN-OIL EMULSION AND METHOD OF USING SAME**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: November 7, 2003

Douglas J. Collins, Reg. No. 43,561
ExxonMobil Upstream Research Company
P. O. Box 2189
Houston, Texas 77252-2189
Tel. (713) 431-4811
Fax (713) 431-4664

I certify that this document and fee is being deposited
on with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

cc:

RES

KAB	Received JUL 31 2001 URC LAW	PLW
MMH		DYV
NVI		MMH
GPK		JAT
SPK		MJS
GDL		LRV
JPP		JWA
CBS		MMW
Due Date:		

PCO

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PETITIONS OFFICE

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PLEASE DATE-STAMP AND RETURN THIS SELF-ADDRESSED, POSTAGE-PAID POSTCARD TO ACKNOWLEDGE RECEIPT.

File No: 98.079

Applicants: Ramesh Varadaraj, et al.

Serial No: 09/819,332

Filed on: 3/28/01

Title: Stability Enhanced Water-in-Oil Emulsion and Method of Using Same

Enclosed:

Response to Notice to File Missing Parts with deposit account authorization and Certificate of Mailing under 37 CFR 1.8(a) (3 pages)

Declaration and Power of Attorney (4 pages)

Copy of Notice to File Missing Parts (1 page)

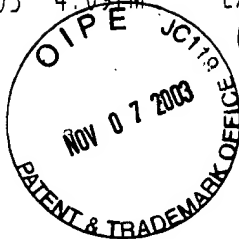
Return Receipt Postcard

Date: 07/18/01

OFF/PGW/mmww



PM 98079 *US*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/819,332	03/28/2001	Ramesh Varadaraj	PM 98,079

CONFIRMATION NO. 4239

FORMALITIES LETTER



"OC000000008185396"

ExxonMobil Upstream Research Company
P.O. Box 2189
Houston, TX 77252-2189

Date Mailed: 06/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

AM

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

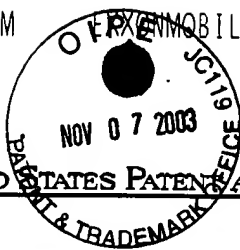
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NOV 07 2003

PETITIONS OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/819,332	03/28/2001	Ramesh Varadaraj	PM 98.079

ExxonMobil Upstream Research Company
P.O. Box 2189
Houston, TX 77252-2189

CONFIRMATION NO. 4239

ABANDONMENT/TERMINATION
LETTER
OC000000011156680

Date Mailed: 11/03/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/15/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PETITIONS OFFICE

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 1/6/04 2 Serial/Patent # 09/819,332

3 Please refund the following fee(s):

4 PAPER
NUMBER

5 DATE
FILED

6 AMOUNT

Filing

Amendment

Extension of Time

Notice of Appeal/Appeal

☒ Petition

Issue

Cert of Correction/Terminal Disc.

Maintenance

Assignment

Other

6

11/7/03

\$ 1,330.00

7 TOTAL AMOUNT
OF REFUND

\$ 1,330.00

8 TO BE REFUNDED BY:

10 REASON:

Overpayment

Duplicate Payment

☒ No Fee Due (Explanation):

Treasury Check

Credit Deposit A/C #:

05--1328

Petition not

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Kenya McLaughlin

TITLE: Petitioner

SIGNATURE: Kenya McLaughlin

PHONE: 305 0010

OFFICE: Petitions

***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****

APPROVED: Alicia Kelle

DATE: 1/7/03

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B